


REQUEST FOR RESOLUTION TO DEDICATE PUBLIC RIGHT-OF-WAY

TO: Caroline Martin, City Attorney's Office

FROM: Matt R. Bryner, P.E., Director, Right-of-Way Services 
Matt R. Bryner (Dec 16, 2021 08:50 MST)

DATE: December 10, 2021

ROW #: 2021-DEDICATION-0000081 **SCHEDULE #:** Adjacent to 0022200086000

TITLE: This request is to dedicate a City-owned parcel of land as Public Right-of-Way N. Tower Rd., located near the intersection of E. 46th Ave. and N. Tower Rd.

SUMMARY: Request for a Resolution for laying out, opening and establishing certain real property as part of the system of thoroughfares of the municipality; i.e. as N. Tower Rd. This parcel(s) of land is being dedicated by the City and County of Denver for Public Right-of-Way, as part of the development project, "4600 Tower."

It is requested that the above subject item be placed on the Mayor-Council Agenda for the next available date.

Therefore, you are requested to initiate Council action to dedicate a parcel of land for Public Right-of-Way purposes as Public Right-of-Way. The land is described as follows.

INSERT PARCEL DESCRIPTION ROW # (2021-DEDICATION-0000081-001) HERE.

A map of the area to be dedicated is attached.

MB/JL/RL

cc: Dept. of Real Estate, Katherine Rinehart
City Councilperson, Stacie Gilmore, District # 11
Councilperson Aide, Magen Elenz
Councilperson Aide, Melissa Sotelo
City Council Staff, Zach Rothmier
Environmental Services, Andrew Ross
DOTI, Manager's Office, Alba Castro
DOTI, Manager's Office, Jason Gallardo
DOTI, Director, Right-of-Way Engineering Services, Matt Bryner
Department of Law, Maureen McGuire
Department of Law, Martin Plate
Department of Law, Deanne Durfee
Department of Law, Caroline Martin
Department of Law, Rachonda Dixon
DOTI Survey, Johanna Lee
DOTI Ordinance
Owner: City and County of Denver
Project file folder 2021-DEDICATION-0000081

ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo
at Jason.Gallardo@DenverGov.org by **12:00 pm on Monday.**

****All fields must be completed.****
Incomplete request forms will be returned to sender which may cause a delay in processing.

Date of Request: December 10, 2021

Please mark one: Bill Request or Resolution Request

1. Has your agency submitted this request in the last 12 months?

Yes No

If yes, please explain:

2. **Title:** This request is to dedicate a City-owned parcel of land as Public Right-of-Way N. Tower Rd., located near the intersection of E. 46th Ave. and N. Tower Rd.

3. **Requesting Agency:** DOTI, Right-of-Way Services
Agency Section: Survey

4. **Contact Person:** (With actual knowledge of proposed ordinance/resolution.)

- **Name:** Rebecca Long
- **Phone:** 720-547-5344
- **Email:** Rebecca.Long@denvergov.org

5. **Contact Person:** (With actual knowledge of proposed ordinance/resolution who will present the item at Mayor-Council and who will be available for first and second reading, if necessary.)

- **Name:** Jason Gallardo
- **Phone:** 720-865-8723
- **Email:** Jason.Gallardo@denvergov.org

6. **General description/background of proposed resolution including contract scope of work if applicable:** Request for a Resolution for laying out, opening and establishing certain real property as part of the system of thoroughfares of the municipality; i.e. as N. Tower Rd. This parcel(s) of land is being dedicated by the City and County of Denver for Public Right-of-Way, as part of the development project, "4600 Tower."

*****Please complete the following fields:*** (Incomplete fields may result in a delay in processing. If a field is not applicable, please enter N/A for that field – please do not leave blank.)

- a. **Contract Control Number:** N/A
- b. **Contract Term:** N/A
- c. **Location:** Near the intersection of E. 46th Ave. and N. Tower Rd.
- d. **Affected Council District:** Stacie Gilmore, District # 11
- e. **Benefits:** N/A
- f. **Contract Amount (indicate amended amount and new contract total):** N/A

7. **Is there any controversy surrounding this resolution?** (Groups or individuals who may have concerns about it?) **Please explain.**

None.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date Entered: _____

EXECUTIVE SUMMARY

Project Title: 2021-DEDICATION-0000081

Description of Proposed Project: Dedication of a parcel of land as Public Right-of-Way as N. Tower Rd.

Explanation of why the public right-of-way must be utilized to accomplish the proposed project: The City and County of Denver was deeded this land to be dedicated as N. Tower Rd.

Has a Temp MEP been issued, and if so, what work is underway: N/A

What is the known duration of a MEP: N/A

Will land be dedicated to the City if the vacation goes through: N/A

Will an easement be placed over a vacated area, and if so explain: N/A

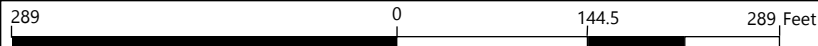
Will an easement relinquishment be submitted at a later date: N/A

Additional information: This land was deeded to the City and County of Denver for the purpose of dedicating it as N. Tower Rd., as part of a development project called, "4600 Tower."



Legend

- ▲ Well Restrictions
- Barrier Restrictions
- Area Restrictions
 - Liner
 - Sheet Pile Wall Area
- Streams
- Irrigation Ditches Reconstruct (Gardeners)
- Irrigation Ditches
- Streets
- Alleys
- Railroads
 - + Main
 - + Yard
 - + Spur
 - + Siding
 - + Interchange track
 - + Other
- Bridges
- Rail Transit Stations
 - Existing
 - Planned
- ▲ Park-N-Ride Locations
- Lakes
- County Boundary
- Parcels
- Lots/Blocks
- Parks
 - All Other Parks; Linear
 - Mountain Parks



PARCEL DESCRIPTION ROW NO. 2021-DEDICATION-0000081-001:

LAND DESCRIPTION – STREET PARCEL

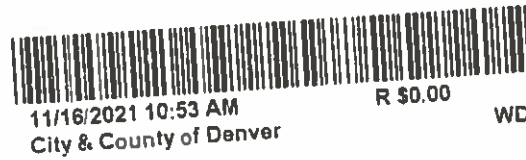
A PARCEL OF LAND CONVEYED BY SPECIAL WARRANTY DEED TO THE CITY AND COUNTY OF DENVER, RECORDED ON THE 16TH DAY OF NOVEMBER 2021, AT RECEPTION NUMBER 2021212701 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, STATE OF COLORADO, THEREIN AS:

A PARCEL OF LAND SITUATED IN ZONE LOT 2, GREEN VALLEY RANCH SHOPPETTE NO.3, AMENDED PBG, RECEPTION NO. 2018003888, SITUATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 22, BEING A 3 1/4" ALUMINUM CAP IN A RANGE BOX STAMPED PLS 36053; THENCE S00°14'48"E ALONG THE WEST LINE OF SAID SECTION 22, 1086.38 FEET; THENCE LEAVING SAID WEST LINE N89°27'52"E 60.00 FEET TO THE EXISTING EASTERLY RIGH-OF-WAY LINE OF TOWER ROAD, BEING THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID EASTERLY LINE N89°27'52"E 2.00 FEET; THENCE S00°14'48"E 193.48 FEET TO A POINT ON THE NORTHWESTERLY LINE OF GREEN VALLEY RANCH FILING NO. 58; THENCE S49°37'57"W ALONG SAID NORTHWESTERLY LINE 2.62 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY-LINE OF TOWER ROAD; THENCE N00°14'48"W 195.16 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 388.64 SQUARE FEET OR 0.009 ACRES MORE OR LESS.

BASIS OF BEARING FOR THIS DESCRIPTION IS S00°14'48"E BETWEEN THE NORTHWEST CORNER OF SAID SETION 22, A 3 1/4 INCH DIAMETER ALUMINUM CAP IN RANGE BOX, STAMPED PLS 36053 AND THE WEST QUARTER CORNER OF SAID SETION 22, A 3 INCH DIAMETER BRASS CAP IN A RANGE BOX STAMPED PLS 23527.



After recording, return to:
Division of Real Estate
City and County of Denver
201 West Colfax Avenue, Dept. 1010
Denver, Colorado 80202
Project Description: 2021-Dedication-0000081
Asset Mgmt No.: 21-186

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (“Deed”), made as of this 8TH day of NOVEMBER, 2021, by **TOWER SHOPPETTE, LLC**, a Colorado limited liability company, whose address is 7687 W. 88TH Ave., Denver, CO 80005, United States (“Grantor”) to the **CITY AND COUNTY OF DENVER**, a Colorado municipal corporation of the State of Colorado and home rule city, whose address is 1437 Bannock Street, Denver, Colorado 80202 (“Grantee”).

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars and 00/100 (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and by these presents does hereby grant, bargain, sell, convey and confirm, unto Grantee, and its successors and assigns forever, the real property described below, together with all improvements thereon, owned by Grantor situate, lying and being in the City and County of Denver, State of Colorado, and being more particularly described on the attached Exhibit(s) hereto and incorporated herein (“Property”);

TOGETHER WITH all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all of the estate, right, title, interest, claim and demand whatsoever of Grantor, either in law or equity, of, in, and to the above-bargained Property, together with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the Property above bargained and described with the appurtenances, unto Grantee, and its successors and assigns forever. Grantor, for itself and its successors and assigns does covenant and agree that it shall and will WARRANT AND FOREVER DEFEND the above-bargained Property in the quiet and peaceable possession of Grantee, and its successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through, or under Grantor.

No separate bill of sale with respect to improvements on the Property will be executed.

IN WITNESS WHEREOF, Grantor has executed this Deed on the date set forth above.

ATTEST:

TOWER SHOPPETTE, LLC, a Colorado limited liability company

By: Samuel Brown

Name: SAMUEL BROWN

Its: Managing Member

STATE OF Colorado)

COUNTY OF Jefferson) ss.

The foregoing instrument was acknowledged before me this 8th day of November, 2021 by Samuel Brown, as Managing Member of Tower Shoppette, LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 11.16.2023

**AMY J HAYNES
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19994031577
MY COMMISSION EXPIRES 11/16/2023**

Amy J Haynes
Notary Public

EXHIBIT A

Page 1 of 2

LAND DESCRIPTION:

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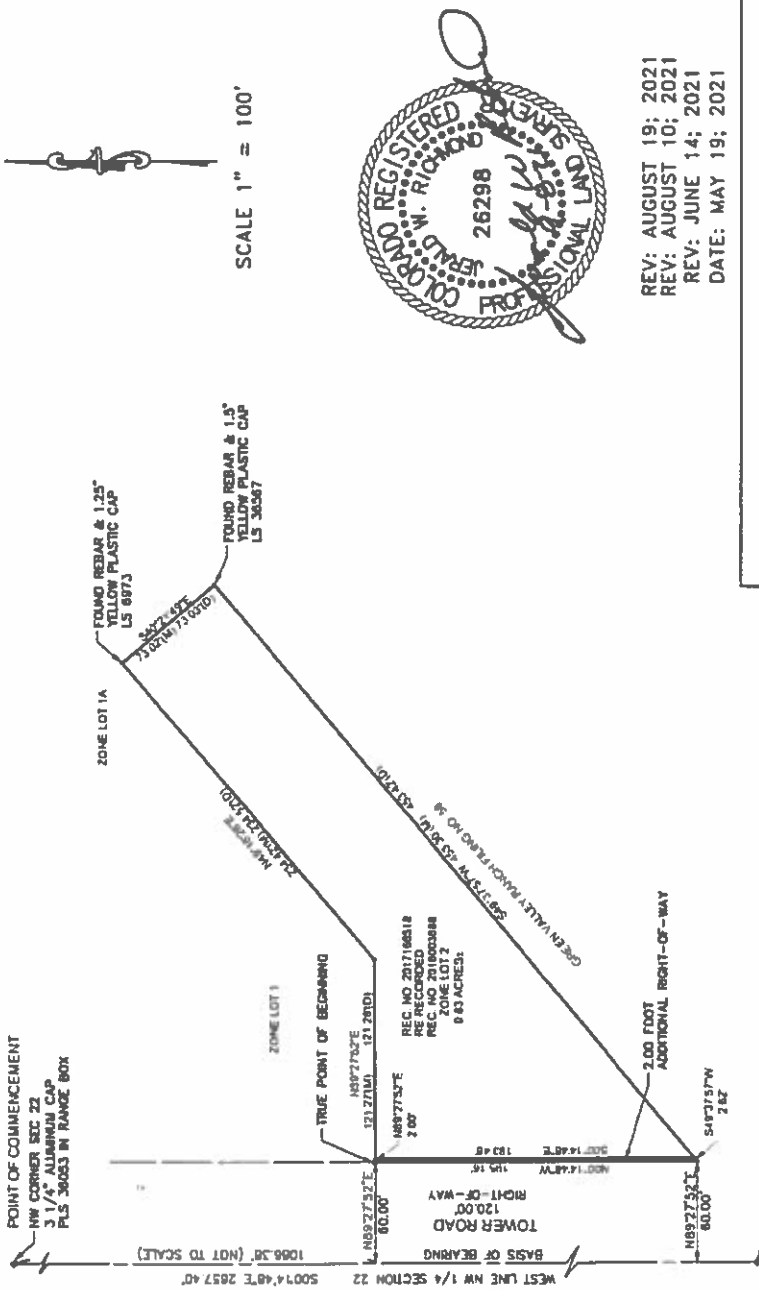
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Prepared by:

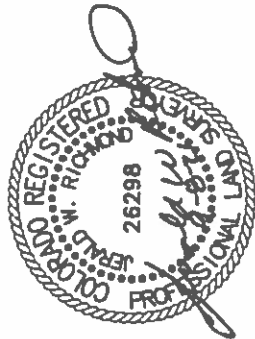
Jerald W. Richmond
PLS 26298
For and on behalf of:
Diamondback Surveying, LLC
7804 Fraser River Circle
Littleton, CO 80125



EXHIBIT A
PAGE 2 OF 2



SCALE 1" = 100'



REV: AUGUST 19; 2021
 REV: AUGUST 10; 2021
 REV: JUNE 14; 2021
 DATE: MAY 19; 2021

ZONE LOT 2
 GREEN VALLEY RANCH SHOPPETTE
 AMENDMENT NO.3
 SITUATED IN THE NW1/4 OF SEC. 22
 T3S, R66W, OF THE 6TH P.M.
 CITY AND COUNTY OF DENVER, COLORADO,

Diamondback
 Surveying, LLC
 7804 Fraser River Circle
 Littleton, CO 80125
 Office: 303-918-7310